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PATENT

S/N 10/542,159

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	PETERSEN et al.	Examiner:	Unknown
Serial No.:	10/542,159	Group Art Unit:	Unknown
Filed:	July 12, 2005	Docket No.:	09663.0061USWO
Title:	LIGHT INDUCED IMMOBILISATION		

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile (571-273-8300) to the U.S. Patent and Trademark Office on January 5, 2006.

By: S. Dannecker
Name: Sarah Dannecker

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Commissioner:

Submitted herewith is a new Verified Statement Claiming Small Entity Status. Please enter this statement into the present application as a replacement of the first verified statement, submitted on November 1, 2005. Please note the current small entity statement now includes the application serial number.

Respectfully submitted,



MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: January 4, 2006

By Denise M. Kettelberger
Denise M. Kettelberger
Reg. No. 33,924

DMK/sbd

SMALL BUSINESSVERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.27(a)(2)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- a) the owner of the small business concern identified below:
 b) an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: BioNanoPhotonic A/S
 ADDRESS OF CONCERN: Bredgade 56
 DK-1260 Copenhagen K
 Denmark

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121 and in 37 C.F.R. 1.27(a)(2), and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled LIGHT INDUCED MOBILISATION by inventor(s) Steffen Bjorn Petersen and Maria Teresa Da Cruz Augusto Neves Petersen described in

- a) the specification filed herewith.
 b) provisional application serial no. _____, filed _____.
 c) non-provisional application serial no. 10/542,159, filed July 12, 2005.
 d) patent no. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a person under 37 C.F.R. 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.27(a)(2) or a nonprofit organization under 37 C.F.R. 1.27(a)(3).

NAME: _____

ADDRESS: _____

a) PERSONb) SMALL BUSINESS CONCERNc) NONPROFIT ORGANIZATION

NAME: _____

ADDRESS: _____

a) INDIVIDUALb) SMALL BUSINESS CONCERNc) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. 1.27(g)(2)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME: POUL KVISTTITLE: DIRECTORADDRESS: BREDGADE 56, DK-1260 COPENHAGEN K, DENMARKSIGNATURE: Poul KvistDate: 09.12.2005

* Separate statements should be obtained from each named person, concern, or organization having rights to the invention as to their status as small entities.